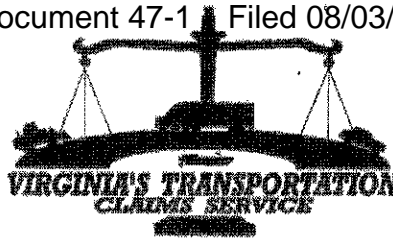


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Date: 07/31/2012

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## ***SUMMARY REPORT***

Ref: Karen White  
2009 BMW 335d 4Dr Sdn  
VIN: WBAPN73569A265980

To whom it may concern,

I performed a physical inspection on the above described vehicle on 07-26-2012. Reviewed multi repair and diagnostic documents provided by vehicle owner and concluded this vehicle has been in the repair shop more than a reasonable amount of occasions for multi repeated operations as the documents show. Also observed this vehicle has sustained an engine replacement.

Researched and compared (See attached) 3 comparable vehicles (same year, make and model) currently for sale. Obtained NADA report. Observed current retail value and New/MSRP value as attached NADA report shows. Calculated and determined Diminished Value has occurred (See attached report).

Concluded and consider this vehicle to be a Lemon based from the excessive mechanical repair history.

I have over 26 years of experience performing Technical Mechanical Inspections and Specialty appraisals on automobiles, large trucks motorcycles and specialty equipment. Certifications/Training include: AMI Smart estimating, EZEst/CCC Collision estimating, UDM/NADA Advanced estimating, Audatex Auto Collision estimating, Mitchell Auto/Truck estimating, Chief Structural/Frame/Unitized Body, I-CAR Collision 2000, I-CAR Body, Refinishing, I-CAR Structural, I-CAR Advanced Vehicle Systems/SRS-Air bag/Passive Restraint Systems, ASE. Etc. (Additional ongoing).

Sincerely,

Date: 07/31/2012

Randy S Baker Sr  
Founder/Virginia's Transportation Claims Service  
Statewide Specialty Appraisals  
Toll Free 1-866-512-2155  
Email: [rsbvtc@msn.com](mailto:rsbvtc@msn.com)  
Web: [vtcservicesinc.com](http://vtcservicesinc.com)





## ***DIMINISHED VALUE REPORT***

**CLIENT:** Consumer Litigation Associates, P.C. / Donna Winters  
**OWNER:** Karen White **CLAIM #** N/A **INSUR. CO:** N/A  
**ADDRESS:** 14039 Foursquare Rd, **TYPE:** Diminished Value  
Smithfield, VA 23430 **PHONE:** (C) (757)650-4225

2009 BMW 335d 4Dr Sdn Ext color: Black  
**VIN:** WBAPN73569A265980 **LIC:** JRRE1 **ST:** VA **ODOMETER:** 141,956 @**D.O.I.**

### Evaluation of Fair Retail Market Value

3 Comparable Vehicles (SEE ATTACHED) Average current fair market value as of 07-30-2012 = \$27,941.00

N.A.D.A (value on date of inspection of 07-26-2012) = \$24,875.00

### **COMMENTS:** Diminished loss evaluation requested.


Inspected above described vehicle on 07-26-2012 for a Diminished Value Claim. Reviewed multi repair and diagnostic documents provided by vehicle owner and concluded this vehicle has been in the repair shop more than a reasonable amount of occasions for multi repeated operations as the documents show. Also observed this vehicle has sustained an engine replacement.

Researched and determined the Fair Retail Value to be **\$24,875.00** on the day of inspection of 07-26-2012. Calculated amount of Diminished Value loss based from: excessive Mechanical repair history. Concluded this vehicle has sustained reduced attraction to potential buyers. This vehicle has at the least sustained a 46% decrease in retail market value **\$24,875.00** minus 46%).

**Diminished Value** **\$11,442.70**

Diminished Value, DV, diminution of value, loss in resale value, accelerated depreciation....it's called many things. It is the direct and actual loss or reduction in an automobile's market value due to its involvement in an accident or other event. The vehicle is then repaired as close as possible to its original condition. Many times a frame or structurally damaged vehicle can not be sold as a "certified used vehicle." This will impact the vehicle's value by as much as 30% to 70%! Would you be willing to pay the same amount for a vehicle that has been wrecked/damaged and repaired compared to a vehicle with no history of repaired damages? In a recent study, 67% of the people surveyed would not buy a car that was in an accident. 33% said they would buy a car that has been in an accident but only if it was being sold for a large discount.

I have over 26 years of experience performing Technical Mechanical Inspections and Specialty appraisals on automobiles, large trucks motorcycles and specialty equipment. Certifications/Training include: AMI Smart estimating, EZESt/CCC Collision estimating, UDM/NADA Advanced estimating, Audatex Auto Collision estimating, Mitchell Auto/Truck estimating, Chief Structural/Frame/Unitized Body, I-CAR Collision 2000, I-CAR Body, Refinishing, I-CAR Structural, I-CAR Advanced Vehicle Systems/SRS-Air bag/Passive Restraint Systems, ASE. Etc. (Additional ongoing).



Date: 07/31/2012

Randy S. Baker Sr.  
Virginia's Transportation Claims Service/VTC Services  
Statewide Specialty Appraisals  
Toll Free 1-866-512-2155

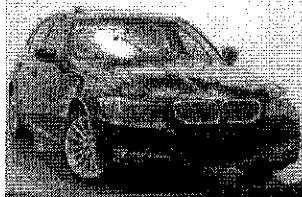

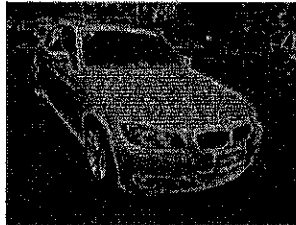
**CONFIDENTIAL!!!**  
The information provided herein  
including form and format is strictly  
confidential and intended for the sole  
purpose of the client listed herein.



***VIRGINIA'S TRANSPORTATION***Date: 07-30-2012***CLAIMS SERVICE***

PO Box 607 Midlothian, VA 23113 Toll Free 1-866-512-2155

**COMPARABLE VEHICLE REPORT****CLIENT:** Karen White **SUBJECT:** 2009 BMW 335d 4-D Sedan Diesel **VIN:** WBAPN73569A265980

	Vehicle #1	Vehicle #2	Vehicle #3
<b>Vehicle</b>			
<b>Year, Make, Model &amp; Trim</b>	2009 BMW 335d Sedan	2009 BMW 335d Sedan	2009 BMW 335d Sedan
<b>Price</b>	\$25,900.00	\$27,925.00	\$29,998.00
<b>Body Style</b>	Sedan	Sedan	Sedan
<b>Mileage</b>	70,657	69,840	52,334
<b>Comments</b>	Power Mirrors, Rear Defroster, Turbo Diesel Engine, Auxiliary Audio Input, Power Seats...	Overhead Airbags, Alloy Wheels, CD Audio, Power Locks, Side Airbags, Traction Control...	Navigation System, Automatic Sunroof, Front Seat Heaters, Memory Seats...
<b>Exterior Color</b>	Burgundy	White	White
<b>Interior Color</b>	Tan	Black	Tan
<b>Doors</b>	Four Door	Four Door	Four Door
<b>Engine</b>	6 Cylinder Diesel Turbo	6 Cylinder Diesel Turbo	6 Cylinder Diesel Turbo
<b>Trans.</b>	6 Speed Shifttable Automatic	6 Speed Shifttable Automatic	6 Speed Shifttable Automatic
<b>Drive</b>	2 wheel drive - rear	2 wheel drive - rear	2 wheel drive - rear
<b>Fuel Type</b>	Diesel	Diesel	Diesel
<b>Seller Info</b>	DZ Motors Rahway, NJ 07065 1-888-677-5690	Team Hillsdale Chrysler Dodge Jeep Hillsdale, MI 49242 888-505-9153	CarMax Hickory NC Hickory, NC 28602 1-866-497-5240

Avg. combined value/3 comparable vehicles this page = **\$27,941.00**



**NADA Official Used Car Guide**  
**Tuesday, July 31, 2012**

**Vehicle Appraisal Retail Value**

<b>Region:</b>	<b>Eastern - July</b>	<b>Reference</b>	
	<b>2012</b>	<b>#:</b>	
<b>Vehicle</b>	<b>2009 BMW</b>	<b>VIN:</b>	<b>WBAPN73569A265980</b>
<b>Description:</b>	<b>3 Series</b>		
	<b>Sedan 4D 335d</b>		

**NADA Base Clean Retail:** **\$32,300**

**Mileage Value (141,956 Miles)** **-\$7,425**

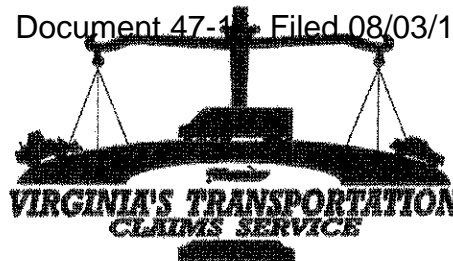
**Accessories Value:** **\$0**

**NEW/MSRP:** **\$43,900**

**NADA Adjusted Clean Retail:** **\$24,875.00**

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# VIN DECODED SPECIFICATIONS / OPTIONS

**CLIENT:** Consumer Litigation Associates, P.C. / Donna Winters

**OWNER:** Karen White **CLAIM #** N/A **INSUR. CO:** N/A

**ADDRESS:** 14039 Foursquare Rd,

**TYPE:** Diminished Value

Smithfield, VA 23430 **PHONE:** (C) (757)650-4225

2009 BMW 335d 4Dr Sdn Ext color: Black

**VIN:** WBAPN73569A265980 **LIC:** JRRE1 **ST:** VA **ODOMETER:** 141,956 @D.O.I.

VIN		WBAPN73569A265980	
Year	2009	Engine Type	3.0L L6 DOHC 24V
Make	BMW	Driveline	RWD
Model	3-Series	Ground Clearance	No data in.
Trim Level	335d	Front Brake Type	Disc
Manufactured In	GERMANY	Rear Brake Type	Disc
Body Style	SEDAN 4-DR	Anti-Brake System	4-Wheel ABS
Transmission	6-Speed Automatic	Standard Seating	5
	6-Speed Manual	Optional Seating	No data
MPG Hwy	33 miles/gallon	Tires	225/45R17
MPG City	22 miles/gallon	Wheelbase	108.70 in.
Dealer Invoice	\$40,390 USD	Curb Weight	3825 lbs
MSRP	\$43,900 USD	Child Safety Door Locks	Std.
Destination Charge	\$825 USD	Power Door Locks	Std.
Locking Pickup Truck	N/A	4WD/AWD	N/A
Tailgate		Automatic Load-Leveling	N/A
Vehicle Anti-Theft	Std.	Limited Slip Differential	N/A
ABS Brakes	Std.	Traction Control	Std.
Electronic Brake Assistance	Std.	Driver Airbag	Std.
Locking Differential	N/A	Front Side Airbag with Head Protection	N/A
Vehicle Stability Control System	Std.	Side Head Curtain Airbag	Std.
Front Side Airbag	Std.	Second Row Side Airbag with Head Protection	N/A
Passenger Airbag	Std.	First Aid Kit	N/A
Second Row Side Airbag	N/A	Keyless Entry	Std.
Electronic Parking Aid	Opt.	Air Conditioning	Std.
Trunk Anti-Trap Device	Std.	Cruise Control	Std.
Remote Ignition	N/A	Tilt Steering	Std.
Separate Driver/Front Passenger Climate Controls	Std.	Heated Steering Wheel	Opt.
Tachometer	Std.	Steering Wheel Mounted Controls	Std.
Tilt Steering Column	Std.	Adjustable Foot Pedals	N/A
Leather Steering Wheel	Std.	Tire Pressure Monitor	Std.
Telescopic Steering Column	Std.	AM/FM Radio	Std.
Genuine Wood Trim	Std.	CD Player	Std.
Trip Computer	Std.	DVD Player	N/A
Cassette Player	N/A	Navigation Aid	Opt.
CD Changer	Opt.	Subwoofer	Opt.
Voice Activated Telephone	N/A		
Second Row Sound	N/A		

Telematics System	Opt.	Driver Multi-Adjustable Power Seat	Std.
Front Cooled Seat	N/A	Front Heated Seat	Opt.
Front Power Lumbar Support	Opt.	Front Power Memory Seat	Std.
Front Split Bench Seat	N/A	Leather Seat	Opt.
Passenger Multi-Adjustable Power Seat	Std.	Second Row Folding Seat	Opt.
Second Row Heated Seat	N/A	Second Row Multi-Adjustable Power Seat	N/A
Second Row Removable Seat	N/A	Third Row Removable Seat	N/A
Cargo Area Cover	N/A	Cargo Area Tiedowns	N/A
Cargo Net	N/A	Load Bearing Exterior Rack	Opt.
Pickup Truck Bed Liner	N/A	Power Sunroof	Std.
Removable Top	N/A	Manual Sunroof	Std.
Automatic Headlights	Std.	Daytime Running Lights	Std.
Fog Lights	Std.	High Intensity Discharge Headlights	Std.
Pickup Truck Cargo Box Light	N/A	Running Boards	N/A
Front Air Dam	Std.	Rear Spoiler	Opt.
Skid Plate	N/A	Splash Guards	N/A
Wind Deflector for Convertibles	N/A	Power Sliding Side Van Door	N/A
Power Trunk Lid	N/A	Alloy Wheels	Std.
Chrome Wheels	N/A	Full Size Spare Tire	N/A
Run Flat Tires	Std.	Steel Wheels	N/A
Power Windows	Std.	Electrochromic Exterior Rearview Mirror	Opt.
Glass Rear Window on Convertible	N/A	Heated Exterior Mirror	Std.
Electrochromic Interior Rearview Mirror	Opt.	Power Adjustable Exterior Mirror	Std.
Deep Tinted Glass	N/A	Interval Wipers	Std.
Rain Sensing Wipers	Std.	Rear Window Defogger	Std.
Rear Wiper	N/A	Sliding Rear Pickup Truck Window	N/A
Tow Hitch Receiver	N/A	Towing Preparation Package	N/A



